

AF

APR 24 2006

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: April 19, 2006 Name: John Murray, Ph.D.

Signature: John Murray

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Gary J. Nabel et al.

Appln. No.: 09/663,889

Examiner: Robert M. Kelly

Filed: September 18, 2000

Art Unit: 1632

For: Kits for Site-specifically Transforming Cells
in Vivo

Attorney Docket No: 8642/91

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- Comments on Statement of Reasons for Allowance; copy of Third Supplemental Information Disclosure Statement
 Return Receipt Postcard

Fee calculation:

- No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$____ for a ____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$____ under 37 C.F.R. § 1.17(____).
 An additional filing fee has been calculated as shown below:

| | Claims Remaining After Amendment | Minus | Highest No. Previously Paid For | Present Extra | Small Entity | | Not a Small Entity | | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|----------|-----------|
| | | | | | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$25= | | | x \$50= | |
| Indep. | | Minus | | | x 100= | | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | | | +\$360= | |
| | | | | | Total | \$ | Total | \$ | |

Fee payment:

- A check in the amount of \$____ is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$____ (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

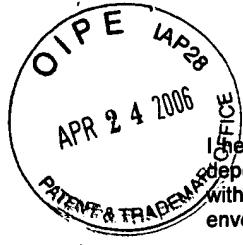
Respectfully submitted,

John Murray

April 19, 2006

Date

John Murray, Ph.D. (Reg. No. 44,251)



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COMMISSIONER FOR PATENTS
P.O. BOX 1450 ALEXANDRIA, VA 22313-
1450
on April 19, 2006

Date of Deposit

John Murray

Name of applicant, assignee or
Registered Representative

John Murray

Signature
April 19, 2006

Date of Signature

Case No. 8642/91

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary J. Nabel *et al.*

Serial No.: 09/663,889

Examiner: Kelly, Robert M.

Filed: September 18, 2000

Group Art Unit: 1632

For: KITS FOR SITE-SPECIFICALLY
TRANSFORMING CELLS IN VIVO

Comments on Statement of Reasons for Allowance

MAIL STOP AFTER FINAL
COMMISSIONER FOR PATENTS
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Dear Sir:

During a review of the prosecution history of this application, we became aware that the documents in the PTO-1449 form filed with an Information Disclosure Statement on November 17, 2004 were not initialed by the Examiner. A copy of this form is attached for the convenience of the

Application Serial Number 09/663,889
Comments on Statement of Reasons for Allowance
Filed: April 19, 2006

Attorney Reference Number 8642/91

Examiner. Applicants request an initialed copy of the PTO-1449 form. If, for any reason, the Examiner feels that an interview would resolve any remaining issues, he is respectfully requested to contact the undersigned attorney at (312) 321-4229.

Respectfully submitted,

Dated: April 19, 2006

John Murray

John Murray, Ph.D.
Registration No. 44,251
Attorney for Applicants

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